

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE REQUEST FOR EXTENDED AREA SERVICE	)	
FOR THE CUSTOMERS OF THE BALLARD RURAL	)	
TELEPHONE COOPERATIVE CORPORATION, INC.,	)	CASE NO. 9566
LOCATED IN BALLARD AND MCCrackEN	)	
COUNTIES, KENTUCKY, TO PADUCAH,	)	
KENTUCKY	)	

O R D E R

On March 31, 1986, a petition was filed requesting Extended Area Service ("EAS") for the customers of the Ballard Rural Telephone Cooperative Corporation, Inc. ("Ballard RTCC"). The petition requested that all exchanges in Ballard RTCC's franchise area be provided EAS to Paducah, Kentucky. Paducah is provided telephone service by South Central Bell Telephone Company ("SCB").

On April 28, 1986, the Commission issued an Order which adopted the EAS Guidelines, attached as Appendix A to that Order, as procedures to be followed in this case. The Commission also directed Ballard RTCC and SCB to comply with STEP 1 of those Guidelines. SCB and Ballard RTCC provided their responses within the time limits given.

On June 20, 1986, the Commission ordered that signed petitions be obtained from the Paducah exchanges. These were due on August 15, 1986, and have not yet been filed. On September 9, a letter was sent to the petitioners requesting that either the

petitions or a request for an extension of time be filed within 10 days of receipt of the letter. No response has been received.


At this point, if the petitions had been filed as ordered, the local exchange carriers would be required to perform traffic studies. Since the petitions have not been filed, the EAS Guidelines specify that a hearing be scheduled so that the petitioners may provide evidence as to why the Commission should order these studies despite their failure to document sufficient community of interest. However, considering the petitioners' failure to comply with the June 20, 1986, Order and the September 9, 1986, letter, it is doubtful whether a hearing would be productive. In addition, after a hearing has been held, a dismissal without prejudice would be precluded, making it more difficult for the petitioners to pursue another EAS request for the next four years.


The Commission, after considering the evidence of record and being advised, is of the opinion and finds that a deviation from the EAS Guidelines is warranted and would benefit all parties concerned.

IT IS THEREFORE ORDERED that this case be dismissed without prejudice.

Done at Frankfort, Kentucky, this 31st day of October, 1986.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

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Executive Director